

§ 7B-2053. Responsibilities of the district attorney's office.

(a) Within 72 hours of the filing of a petition, the district attorney's office shall provide the victim with the following information:

- (1) The victim's rights under this Article, including the right to reasonably confer with the district attorney's office.
- (2) The responsibilities of the district attorney's office under this Article.
- (3) The steps generally taken by the district attorney's office in cases involving juvenile offenses.
- (4) Suggestions on what the victim should do if threatened or intimidated by the juvenile or someone acting on the juvenile's behalf.
- (5) The name and telephone number of a victim and witness assistant in the district attorney's office whom the victim may contact for further information.
- (6) A list of each right enumerated under G.S. 7B-2052(b).
- (7) Information about any other rights afforded to victims by law.

(b) On a form provided by the district attorney's office for this purpose, the victim shall indicate whether the victim requests to receive notices of some, all, or none of the court proceedings included under this Article. The form shall also indicate whether the victim wishes to receive information about the adjudication and disposition of the case. If the victim elects to receive notices or information by requesting it on the form provided, the victim shall be responsible for notifying the district attorney's office of any changes in the victim's address and telephone number or other contact information. The victim may alter the request for notification or information at any time by notifying the district attorney's office and completing the form provided by the district attorney's office.

(c) The district attorney's office shall make every effort to ensure that a victim's personal information is not disclosed unless otherwise required by law. The district attorney's office shall inform the victim that personal information such as the victim's telephone number, home address, and bank account number are not relevant in every case, and that the victim may request the district attorney to object to that line of questioning when appropriate.

(d) The district attorney's office shall offer the victim the opportunity to reasonably confer with an attorney in the district attorney's office to obtain the views of the victim about, at a minimum, dismissal, plea or negotiations, disposition, and any dispositional alternatives.

(e) Notwithstanding Articles 30 and 31 of Subchapter III of this Chapter, the district attorney's office shall notify the victim of the date, time, and place of court proceedings as requested by the victim under subsection (b) of this section. All notices required to be given by the district attorney's office shall be reasonable, accurate, and timely and shall be given in a manner that is reasonably calculated to be received by the victim prior to the date of the court proceeding. The district attorney's office shall consider all hearings open, pursuant to G.S. 7B-2402, for the purpose of providing notice to the victim. The district attorney shall inform the victim if the entire hearing has been closed to the victim by the court. The district attorney's office may provide the required notification electronically or by telephone, unless the victim requests otherwise. The notifications required by this section shall be documented by the district attorney's office.

(f) Whenever practical, the district attorney's office shall provide a secure waiting area during court proceedings that does not place the victim in close proximity to the juvenile or the juvenile's family.

(g) Prior to the dispositional hearing, the district attorney's office shall notify the victim that the victim may request in writing to be notified (i) in advance of the juvenile's scheduled release date, if the juvenile is committed to the Division for placement in a youth development center or (ii) in the event that the juvenile escapes, if the juvenile is being held in secure custody or is committed to the Division for placement in a youth development center.

(h) At the dispositional hearing, the prosecutor shall submit to the court a form containing the victim's request for further notices under subsection (g) of this section and any necessary identifying information about the victim, if applicable. The chief court counselor shall include the form with the final disposition and commitment transmitted to the Division, and the form shall be maintained by the Division as a confidential file. The victim shall be responsible for notifying the Division of any changes in the victim's address and telephone number.

(i) Notwithstanding Articles 30 and 31 of Subchapter III of this Chapter, following the completion of the dispositional hearing, the district attorney's office shall provide the victim with information about the adjudication and disposition of the juvenile as requested by the victim pursuant to G.S. 7B-2053(b). The information provided shall be limited to (i) whether or not the juvenile was adjudicated delinquent, and if so, the offense classification, the dispositions available to the court as provided in G.S. 7B-2508, and (ii) no-contact orders as they relate to the victim, and (iii) any order for restitution. (2019-216, s. 10.)